

the pilot in command may take any action that he considers necessary under the circumstances. In such a case he may deviate from prescribed operations procedures and methods, weather minimums, and this chapter, to the extent required in the interests of safety.

(b) In an emergency situation arising during flight that requires immediate decision and action by an aircraft dispatcher, and that is known to him, the aircraft dispatcher shall advise the pilot in command of the emergency, shall ascertain the decision of the pilot in command, and shall have the decision recorded. If the aircraft dispatcher cannot communicate with the pilot, he shall declare an emergency and take any action that he considers necessary under the circumstances.

(c) Whenever a pilot in command or dispatcher exercises emergency authority, he shall keep the appropriate ATC facility and dispatch centers fully informed of the progress of the flight. The person declaring the emergency shall send a written report of any deviation through the certificate holder's operations manager, to the Administrator. A dispatcher shall send his report within 10 days after the date of the emergency, and a pilot in command shall send his report within 10 days after returning to his home base.

[Doc. No. 6258, 29 FR 19219, Dec. 31, 1964, as amended by Amdt. 121-253, 61 FR 2614, Jan. 26, 1996]

§ 121.559 Emergencies: Supplemental operations.

(a) In an emergency situation that requires immediate decision and action, the pilot in command may take any action that he considers necessary under the circumstances. In such a case, he may deviate from prescribed operations, procedures and methods, weather minimums, and this chapter, to the extent required in the interests of safety.

(b) In an emergency situation arising during flight that requires immediate decision and action by appropriate management personnel in the case of operations conducted with a flight following service and which is known to them, those personnel shall advise the pilot in command of the emergency,

shall ascertain the decision of the pilot in command, and shall have the decision recorded. If they cannot communicate with the pilot, they shall declare an emergency and take any action that they consider necessary under the circumstances.

(c) Whenever emergency authority is exercised, the pilot in command or the appropriate management personnel shall keep the appropriate communication facility fully informed of the progress of the flight. The person declaring the emergency shall send a written report of any deviation, through the certificate holder's director of operations, to the Administrator within 10 days after the flight is completed or, in the case of operations outside the United States, upon return to the home base.

[Doc. No. 6258, 29 FR 19219, Dec. 31, 1964, as amended by Amdt. 121-253, 61 FR 2614, Jan. 26, 1996; Amdt. 121-333, 72 FR 31682, June 7, 2007]

§ 121.561 Reporting potentially hazardous meteorological conditions and irregularities of ground facilities or navigation aids.

(a) Whenever he encounters a meteorological condition or an irregularity in a ground facility or navigation aid, in flight, the knowledge of which he considers essential to the safety of other flights, the pilot in command shall notify an appropriate ground station as soon as practicable.

(b) The ground radio station that is notified under paragraph (a) of this section shall report the information to the agency directly responsible for operating the facility.

[Docket No. 6258, 29 FR 19219, Dec. 31, 1964, as amended by Amdt. 121-333, 72 FR 31682, June 7, 2007]

§ 121.563 Reporting mechanical irregularities.

The pilot in command shall ensure that all mechanical irregularities occurring during flight time are entered in the maintenance log of the airplane at the end of that flight time. Before each flight the pilot in command shall

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ascertain the status of each irregularity entered in the log at the end of the preceding flight.

[Doc. No. 17897, 45 FR 41594, June 19, 1980, as amended by Amdt. 121-179, 47 FR 33390, Aug. 2, 1982]

§ 121.565 Engine inoperative: Landing; reporting.

(a) Except as provided in paragraph (b) of this section, whenever an airplane engine fails or whenever an engine is shutdown to prevent possible damage, the pilot in command must land the airplane at the nearest suitable airport, in point of time, at which a safe landing can be made.

(b) If not more than one engine of an airplane that has three or more engines fails or is shut down to prevent possible damage, the pilot-in-command may proceed to an airport that the pilot selects if, after considering the following, the pilot makes a reasonable decision that proceeding to that airport is as safe as landing at the nearest suitable airport:

(1) The nature of the malfunction and the possible mechanical difficulties that may occur if flight is continued.

(2) The altitude, weight, and useable fuel at the time that the engine is shutdown.

(3) The weather conditions en route and at possible landing points.

(4) The air traffic congestion.

(5) The kind of terrain.

(6) His familiarity with the airport to be used.

(c) The pilot-in-command must report each engine shutdown in flight to the appropriate communication facility as soon as practicable and must keep that facility fully informed of the progress of the flight.

(d) If the pilot in command lands at an airport other than the nearest suitable airport, in point of time, he or she shall (upon completing the trip) send a written report, in duplicate, to his or her director of operations stating the reasons for determining that the selection of an airport, other than the nearest airport, was as safe a course of action as landing at the nearest suitable airport. The director of operations shall, within 10 days after the pilot returns to his or her home base, send a copy of this report with the director of

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operation's comments to the certificate-holding district office.

[Doc. No. 6258, 29 FR 19219, Dec. 31, 1964, as amended by Amdt. 121-207, 54 FR 39293, Sept. 25, 1989; Amdt. 121-253, 61 FR 2614, Jan. 26, 1996; Amdt. 121-329, 72 FR 1881, Jan. 16, 2007; Amdt. 121-333, 72 FR 31682, June 7, 2007]

§ 121.567 Instrument approach procedures and IFR landing minimums.

No person may make an instrument approach at an airport except in accordance with IFR weather minimums and instrument approach procedures set forth in the certificate holder's operations specifications.

§ 121.569 Equipment interchange: Domestic and flag operations.

(a) Before operating under an interchange agreement, each certificate holder conducting domestic or flag operations shall show that—

(1) The procedures for the interchange operation conform with this chapter and with safe operating practices;

(2) Required crewmembers and dispatchers meet approved training requirements for the airplanes and equipment to be used and are familiar with the communications and dispatch procedures to be used;

(3) Maintenance personnel meet training requirements for the airplanes and equipment, and are familiar with the maintenance procedures to be used;

(4) Flight crewmembers and dispatchers meet appropriate route and airport qualifications; and

(5) The airplanes to be operated are essentially similar to the airplanes of the certificate holder with whom the interchange is effected with respect to the arrangement of flight instruments and the arrangement and motion of controls that are critical to safety unless the Administrator determines that the certificate holder has adequate training programs to insure that any potentially hazardous dissimilarities are safely overcome by flight crew familiarization.

(b) Each certificate holder conducting domestic or flag operations shall include the pertinent provisions